



City of NORFOLK

C: Dir., Public Works

To the Honorable Council
City of Norfolk, Virginia

January 12, 2016

From: David Ricks, Director of Public Works

Subject: Encroach into the right-of-way at the traffic circle at the corner of Colonial Avenue and Delaware Avenue with the placement of a mermaid sculpture

Reviewed:

Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/6

Approved:

Marcus D. Jones, City Manager

Item Number:

R-14

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** Colonial Place Riverview Civic League
4415 Colonial Avenue
PO Box 6130
Norfolk, Virginia 23508

III. **Description:**
This agenda item is an ordinance permitting Colonial Place / Riverview Civic League to encroach into the right-of-way of the traffic circle at the corner of Colonial Avenue and Delaware Avenue with the placement of a mermaid sculpture.

IV. **Analysis:**
The encroachment in this location will allow Colonial Place / Riverview Civic League to place a mermaid sculpture in the park area at the traffic circle at the corner of Colonial Avenue and Delaware Avenue.

V. **Financial Impact:**
Liability insurance has been provided naming the City of Norfolk as additional insured in the amount of \$300,000.00; therefore, there should be no financial risk to the City. The City of Norfolk did not charge a fee for this encroachment.

VI. **Environmental:**
N/A

VII. Community Outreach/Notification:

Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

VIII. Board/Commission Action:


The Department of Public Works, the Department of Planning & Community Development, and the City Attorney's Office has reviewed this request for encroachment and offer no objections. Review and approval by the Norfolk Design Review Committee and the City Planning Commission is not required.

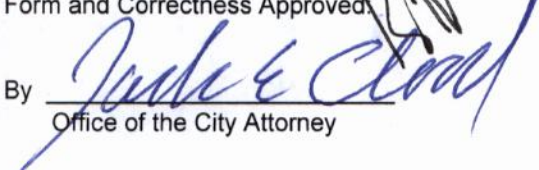
IX. Coordination/Outreach:

This letter has been coordinated with Department of Public Works and the City Attorney's Office.

Supporting Material from the Department of Public Works:

- Ordinance
- Exhibit

Form and Correctness Approved: 

By 
Office of the City Attorney

Contents Approved:

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE PERMITTING THE COLONIAL PLACE / RIVERVIEW CIVIC LEAGUE TO ENCROACH INTO THE RIGHT OF WAY AT THE TRAFFIC CIRCLE AT THE CORNER OF COLONIAL AVENUE AND DELAWARE AVENUE WITH THE PLACEMENT OF A MERMAID SCULPTURE.

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BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That permission is hereby granted to the Colonial Place / Riverview Civic League (hereinafter "Civic League") to encroach into the City's right of way at the north end of the traffic circle at the corner of Colonial Avenue and Delaware Avenue with the placement of a mermaid sculpture, subject to the following conditions:

- (1) That this permission is expressly subject to the right of revocation by the Council and that in the event of such revocation the Civic League, or its successors and assigns, shall immediately remove the encroaching structure.
- (2) That upon the removal of the encroaching structure or any part thereof the authority hereby granted shall cease and terminate.
- (3) That the Civic League, or its successors and assigns, at its own cost and expense, shall take out and keep in full force and effect public liability insurance in some company authorized to do business in the Commonwealth of Virginia, insuring it and naming the City of Norfolk as an additional insured in the amount of at least \$300,000.00 against liability from any and all claims, actions and suits that may be asserted or brought against the City of Norfolk and/or the Civic League, and its successors and assigns, for any injury to or death of any person or persons or for any damage to or destruction of property

resulting from the installation, maintenance, or existence of said encroaching structure; that evidence of such insurance shall be filed with the Director of Risk Management of the City of Norfolk.

Section 2:- That the failure of the Civic League, or its successors and assigns, to fully comply with all contingencies set forth herein shall operate as an automatic revocation of the permission granted hereby.

Section 3:- That placement of the said encroaching structure shall be deemed an acceptance by the Civic League, and its successors and assigns, of all conditions to which the permission herein granted is subject.

Section 4:- That this ordinance shall be in effect from and after its adoption.

RELOCATION OF MERMAID "LADY ANNE"

COLONIAL PLACE / RIVERVIEW CIVIC LEAGUE 14 SEPTEMBER '15

CL OF COLONIAL AVE. &
SANITARY SEWER

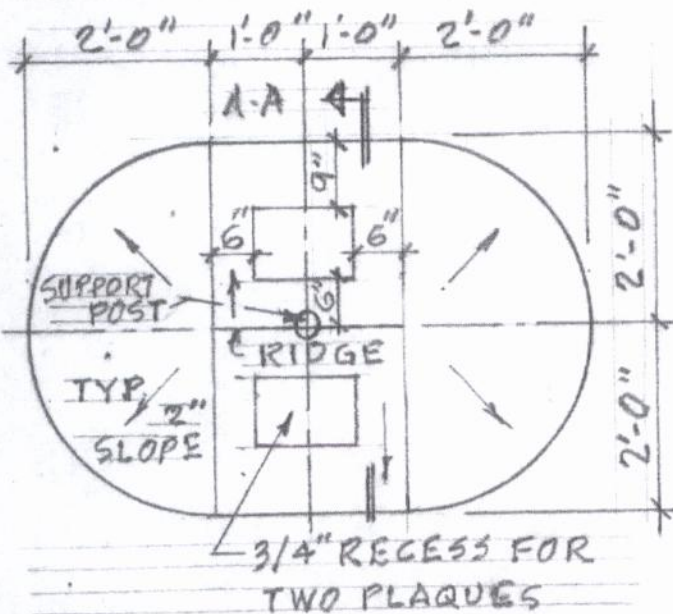
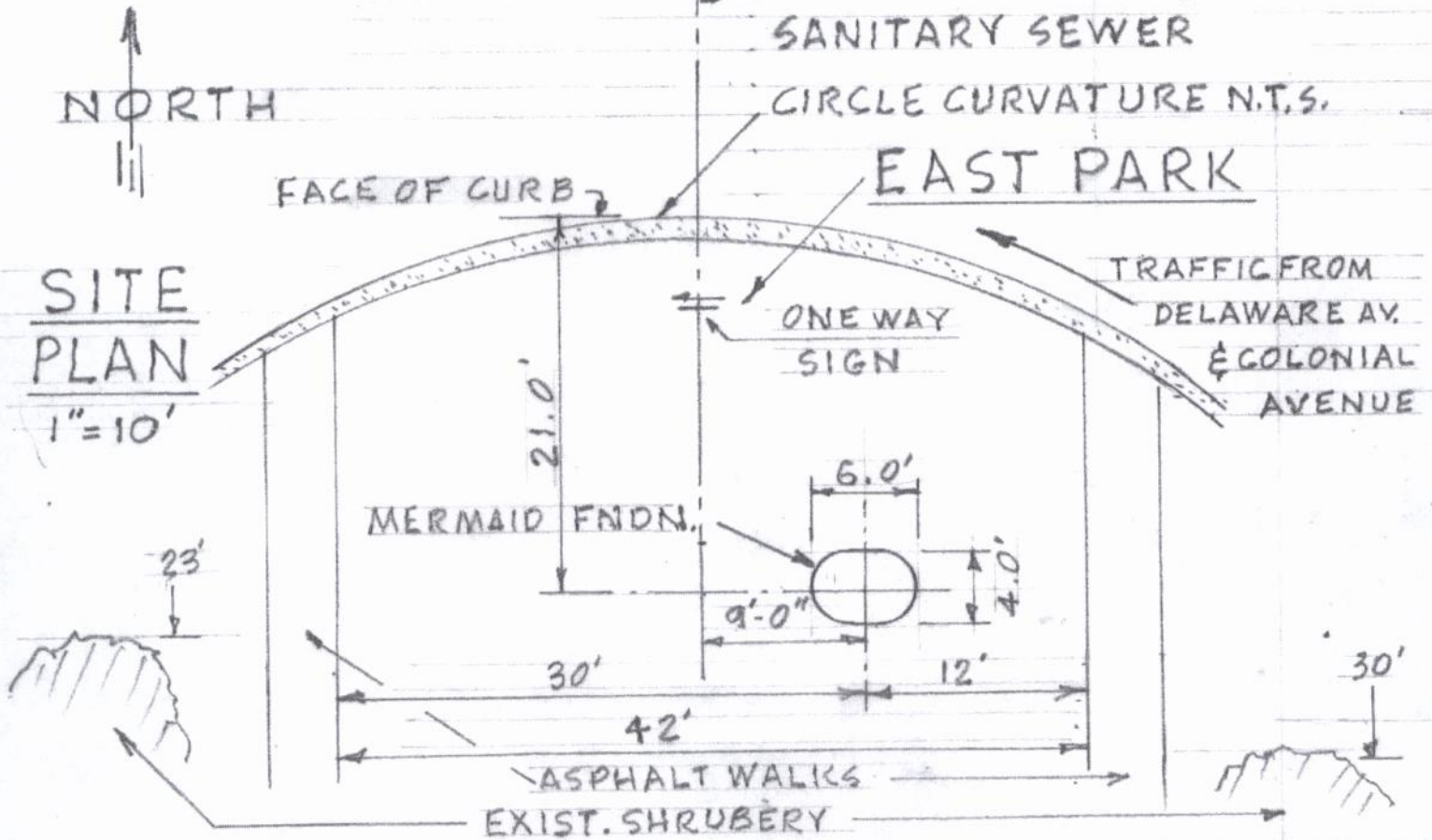


CIRCLE CURVATURE N.T.S.

EAST PARK

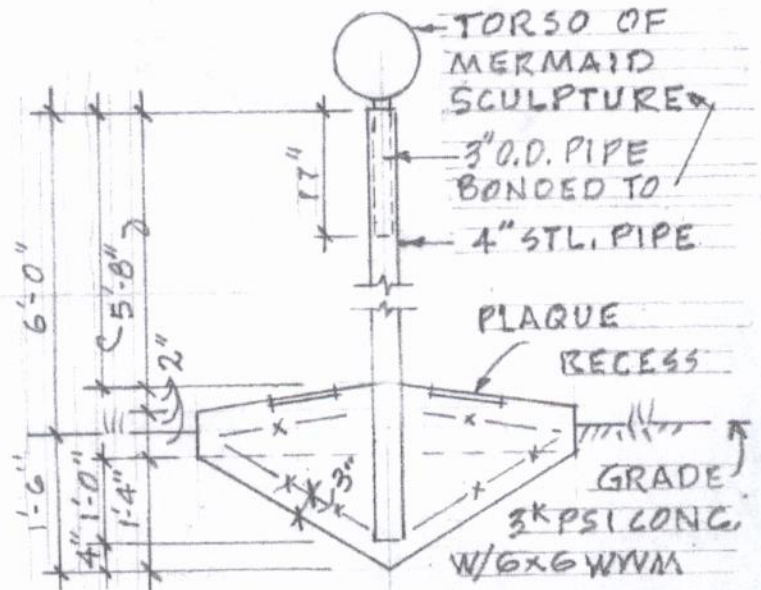
SITE
PLAN

1" = 10'



FOUNDATION PLAN

1/2" = 1'-0"



CROSS SECTION A-A

1/2" = 1'-0"